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\* ADMITTED IN PENNSYLVANIA ONLY

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JUN 21 '95

FEDERAL COMMUNICATIONS  
COMMISSION  
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SECRETARY

CRAIG S. MCCOY  
(1943-1979)

CABLE ADDRESS  
"CRAB"

TELECOPIER  
(202) 452-0067

CC 95-94

November 4, 1991

Direct Dial  
(202) 828-9820

DOCKET FILE COPY ORIGINAL

**BY HAND DELIVERY**

Donna R. Searcy  
Secretary  
Federal Communications Commission  
Washington, D.C. 20554

Re: UACC Midwest, Inc., d/b/a United Artists  
Cable Mississippi Gulf Coast v.  
South Central Bell Telephone Company  
PA-91-0005  
TeleCable Associates, Inc. v.  
South Central Bell Telephone Company  
PA-91-0006

Dear Ms. Searcy:

On October 31, 1991, South Central Bell filed two Motions for Extension of Time in these cases. I would ordinarily be more cooperative, but I cannot allow decisions to be made on representations which are false.

South Central Bell claims it "received no notice from either the Complainant or the Commission that the captioned Complaints had been filed until October 30, 1991." This is absolutely not so. South Central Bell has admitted receipt of routine service copies of the Complaints, sent the day we Federal Expressed the Complaints to Gettysburg. On October 25, I filed a Motion for Summary Dispositon, received by South Central Bell on October 29, 1991, which alerted South Central Bell to its default. (This has also at the very least provided South Central Bell with a working week to assemble its Response in TeleCable, rather than defaulting yet again.)

COLE, RAYWID & BRAVERMAN

Jane Jackson  
November 4, 1991  
Page -2-

As noted in our attached Reply to Opposition to Motion for Summary Disposition, South Central Bell has given no good reason at all for its conduct. Extensions are contrary to Bureau policy in any event. Motions for Extiension, 44 R.R.2d 96 (1978). The Motion for Summary Disposition should be granted, and the 30 day motion denied.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. Glist', with a long horizontal stroke extending to the right.

Paul Glist

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing were properly mailed, postage prepaid, this 4th day of November, 1991, to the following:

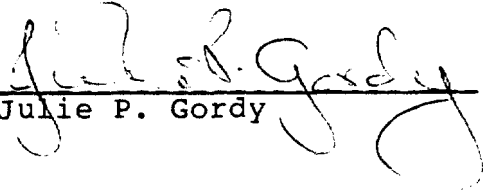
South Central Bell  
P. O. Box 771  
Birmingham, AL 35201  
Attn: Jan Curtis

William B. Barfield  
M. Robert Sutherland  
1155 Peachtree Street, N.E.  
Suite 1800  
Atlanta, GA 30367-6000

Mississippi Public Service Commission  
P. O. Box 1174  
Jackson, MS 39215-1174

\*

Jane Jackson  
Common Carrier Bureau  
Federal Communications Commission  
2000 L Street, N.W.  
Room 257  
Washington, D.C. 20554

  
Julie P. Gordy

\* By Hand Delivery

STAMP & RETURN

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
UACC MIDWEST, INC., d/b/a UNITED )  
ARTISTS CABLE MISSISSIPPI GULF COAST, )  
 )  
Complainant, )  
 )  
v. )  
 )  
SOUTH CENTRAL BELL TELEPHONE COMPANY, )  
 )  
Respondent. )

File No. PA-91-0005

RECEIVED  
NOV - 1 1991  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

TO: The Common Carrier Bureau

REPLY TO OPPOSITION TO MOTION FOR SUMMARY DISPOSITION

South Central Bell's supposed unfamiliarity with FCC practices is mystifying. It routinely practices before the Commission, including past defense of pole attachment cases. E.g., Teleprompter Corp., v. South Central Bell Telephone Co., 49 R.R.2d 1306 (1981). Section 208(a) does not apply to the "simple and expeditious" procedures adopted, under Congressional mandate, pursuant to Section 224. The service copy sent included a copy of Complainant's fee transmittal form, and was sent by mail pursuant to Section 1.47(d) and (f).

The old public notices South Central Bell refers to never delayed the response date, which always ran from the Complaint. In fact, the lists were frequently published more than 30 days after the Complaint and after the Response was

already on file. (Sample attached.) The Commission suspended publishing its notices of pole complaints in 1983. During its most recent (1987) revisions to its procedural rules, in CC Docket 86-212 no party requested a resumption of those lists. The lists were never required to begin with and were largely useless.

Every other utility in the nation has understood and complied with these practices.

Because South Central Bell has admitted actual service and notice, and has advanced no justification for its failure to respond, the Motion for Summary Disposition should be granted.

Respectfully submitted,

UACC MIDWEST, INC., d/b/a UNITED  
ARTISTS CABLE MISSISSIPPI GULF COAST

By: 

Paul Glist

COLE, RAYWID & BRAVERMAN  
1919 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006  
(202) 659-9750

Its Attorney

Dated: November 1, 1991


CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "Reply to Opposition to Motion for Summary Disposition" were properly mailed, postage prepaid, this 1st day of November, 1991, to the following:

South Central Bell  
P. O. Box 771  
Birmingham, AL 35201  
Attn: Jan Curtis

Mississippi Public Service Commission  
P. O. Box 1174  
Jackson, MS 39215-1174

\* Kenneth P. Moran  
Accounting & Audits Branch  
Federal Communications Commission  
Room 812  
2000 L Street, N.W.  
Washington, D.C. 20554

  
Julie P. Gordy

\* By Hand Delivery



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
1919 M STREET N.W.  
WASHINGTON, D.C. 20554

31547

1973

News media information 202/254-7674.

Recorded listing of releases and texts 202/632-0002.

January 24, 1983

## POLE ATTACHMENT FILINGS

The following pole attachment complaints appear to be essentially complete under Section 1.1404 of the Rules and have been assigned file numbers. Such assignment is for administrative purposes only and does not necessarily mean that the complaints have been found to be in full compliance with applicable Subpart J (Pole Attachment) Rules.

<u>DATE</u>	<u>FILE NUMBER</u>	<u>LOCATION</u>	<u>COMPLAINANT</u>	<u>RESPONDENT</u>
11/30/82	PA-83-0007	Altavista, et al., Virginia	Danville Cablevision	Virginia Electric & Power Company
11/30/82	PA-83-0008	Newport News, Virginia	Hampton Roads Cablevision	Virginia Electric & Power Company
12/16/82	PA-83-0009	Hopewell & Prince Georges Co., Virginia	Phoenix Communications, Inc.	Virginia Electric & Power Company
12/10/82	PA-83-0010	Chesterfield Co., Virginia	Chesterfield Cablevision, Inc.	Virginia Electric & Power Company
12/10/82	PA-83-0011	Leesburg, Virginia	Catoctin Cable Communications, Inc.	Virginia Electric & Power Company
1/10/83	PA-83-0012	Daytona Beach, et al. Florida	Tele-Communications, Inc., Halifax Cable TV, Inc. & Halifax Cablevision, Inc.	Florida Power & Light Company